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The Ethics of Using “Pre-made Designs” in Commerce

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Abstract:

The distinction between creative work that is entirely original and that which is only based on the work of others is becoming increasingly difficult to discern as graphic design resources get easier to use and more widely available. This study discusses the ethical consequences of utilizing pre-made designs or templates, particularly in regard to copyright legislation and responsible design practices. This article discusses how pre-made design components and templates found in software programmes might infringe on copyright and how designers can traverse these legal concerns to preserve ethical design practices. In addition, the essay further discusses the role that graphic design software may play in either nurturing or impeding original creativity, as well as the ethical issues that come into play when choosing between developing original ideas and employing pre-made design pieces. In conclusion, this section of the essay provides guidelines for designers on how they should approach the usage of graphic design tools in an ethical and responsible manner. This article gives insight into the ethical issues designers must consider while producing new designs and navigating the difficulties of copyright law by examining the ethical consequences of utilizing graphic design tools.

Keywords: *Graphic design software, ethics, copyright, creativity, derivative work, pre-made design elements, templates, original designs, responsible design practices, legal issues*

1. Introduction

The advent of software that is specifically designed for graphic design has fundamentally changed the design industry by making it more accessible, inexpensive, and user-friendly. However, as the usage of graphic design software grows more widespread, the boundary between original creation and derivative work has grown increasingly blurry. This has raised ethical problems over the acceptable use of pre-made design components and templates (Juniardi & Salim, 2021). The purpose of this article was to provide a complete discussion of the ethical concerns involved in utilizing graphic design software and to provide designers with some suggestions on how to produce work that is both creative and responsible. As copyright law continues to grow more convoluted and harder to decipher, the ethical issues that should be taken into account while utilising graphic design tools are becoming increasingly relevant. For instance, exploiting copyrighted assets like photos and typefaces without permission or acknowledgment can result in legal problems and weaken the integrity of the creative process (Bertoni, 2021). In a similar vein, making use of pre-made design components and templates can lead to derivative work that is devoid of originality and may be in violation of rules governing copyright. A moral dilemma arises from the questionable contribution that graphic design software makes to developing uniqueness and creativity. Some designers believe that using pre-made design components and templates is a more effective and time-saving technique to develop high-quality designs than creating such elements from scratch. However, there are many who believe that engaging in such activities might inhibit creative expression and result in work that is not original (Park, 2020). For designers working with graphic design software, responsible design practices are an additional crucial ethical issue to keep in mind. Honeysett (2022) posits that it is the obligation of designers to ensure that their work complies with all applicable laws and ethical principles, such as those pertaining to intellectual property, accessibility, and environmental responsibility. By employing responsible design principles, designers may contribute to a more sustainable and equitable design sector. The use of graphic design software raises a number of complicated and multidimensional ethical questions,

including those pertaining to the law, the creative process, and morality. This article gives insights into how designers might negotiate these complications and utilise graphic design software in an ethical and responsible manner by doing a complete assessment of these factors.

When it comes to the process of graphic design, ethical concerns are very necessary. Through the visuals and messages that they generate, designers have the ability to influence how people view the world that is all around them. As a result, designers have a responsibility to consider the potential effects of their work on society, culture, and the environment (Honeysett, 2020). When utilizing graphic design software, designers also have the added responsibility of navigating a number of complicated legal and ethical concerns, such as copyright law and responsible design practices (Bertoni, 2021). Graphic design software has evolved to the point that it is now an indispensable instrument for designers since it enables them to produce designs of high quality in a rapid and effective manner. Nevertheless, the usage of graphic design software brings up significant ethical problems regarding the validity and originality of designs. Since it is so simple to incorporate pre-made design components and templates into designs, some designers are of the opinion that design software can inhibit creative expression and compromise the validity of the design process (Park, 2020). In addition, the usage of pre-made design components and templates can also pose legal and ethical problems, particularly when they violate copyright law. This is especially the case when the copyright law is violated. While using elements that are protected by intellectual property rights in their designs, designers have a responsibility to verify that they have received the appropriate permits and licenses (Juniardi & Salim, 2021).

Additionally, responsible design serving as a vital ethical concept for designers to consider. Designers have a responsibility to guarantee that their work is sustainable for the environment and that it can be utilised by all kinds of people, regardless of their talents or the circumstances in which they find themselves. They are also responsible for ensuring that their work does not spread messages that are harmful or discriminatory (Honeysett, 2020). Given the ability of graphic design to shape people's thoughts and actions, it is necessary that designers approach their work with a strong sense of ethical responsibility. This is especially important while considering the power that graphic design has.

The objective of this paper was to discuss the moral and legal implications that are associated with the utilization of software for graphic design. In the context of this article, ethical issues related to the "authenticity and originality of designs, legal and ethical concerns regarding the use of pre-made design elements and templates, and responsible design practices that consider accessibility, sustainability, and non-discriminatory messages" are some of the issues that will be discussed. The discussion also includes the significance of graphic design software in the production process, as well as the influence that software may have on the genuineness and uniqueness of the designs that are produced. Using software for graphic design brings up fundamental ethical problems, which designers need to address to guarantee that the work they produce is both creative and responsible. According to Bertoni (2021), designers are required to think about the repercussions of their work and successfully negotiate difficult legal and ethical concerns.

According to Park (2020), the ease with which pre-made design components and templates may be included in designs can inhibit innovation and undermine the integrity of the design process. This argument was presented in the context of the design process. According to Honeysett (2020), responsible design takes into account the social, cultural, and environmental ramifications of the work being designed. The purpose of this article is to provide a complete discussion of the ethical concerns involved in utilizing graphic design software and to provide designers with some suggestions on how to produce work that is both creative and responsible.

2. Related Works

A number of case studies have been conducted to investigate the influence that graphic design software has had on creative output within the industry. One such research was carried out in 2017 by Gerber and Heidemann, who investigated the influence that digital technologies have had on the creative process in the field of graphic design. According to the survey findings, the value put on creative talents and originality has decreased due to the advent of digital technologies, despite the fact that these technologies have opened up new options for designers to create (Gerber & Heidemann, 2017). Koerner and Gertel (2016) conducted a second case study investigating the influence of design software on the design process and creative output. According to the findings of the study, although the use of design software has led to an improvement in the speed and efficiency of the design process, it has also led to a decline in originality owing to the greater reliance on pre-made templates and design components. A similar line of inquiry was taken by Kim and Lee (2016), who investigated how the use of design tools influences the creative process of graphic designers. Their study revealed that, the use of design software has led to a rise in productivity and efficiency. However, it has also contributed to declining originality and creativity among designers, who are more likely to rely on pre-made templates and design components.

Responsible design techniques are methods of approaching graphic design in an ethical manner that takes into consideration the effects on society, the environment, and culture. In these methods, the use of design is put toward the goal of fostering good change while mitigating adverse effects. Several studies have been conducted to investigate responsible design practices and the significance of these practices in the sector. One such study was conducted by Kim and Lee (2019), and it focused on the significance of responsible design practices in graphic design. The authors of this study determined that responsible design should adhere to four principles, namely human-centred design, sustainable design, cultural sensitivity and transparency. According to the findings of the study, these principles contribute to the promotion of responsible and ethical design methods that address social as well as environmental concerns. In a separate piece of research, Amado et al. (2019) investigated the function that graphic design plays in fostering sustainable development. Their study revealed that, responsible design practices have the potential to contribute to the achievement of sustainable development by addressing social and environmental challenges, encouraging cultural variety, and

promoting responsible consumption and production. In a similar vein, Cho (2018) conducted research that examined the significance of cultural sensitivity in graphic design and uncovered methods that can be used to promote cultural sensitivity. Some of these methods include conducting research on cultural norms and values and collaborating with a variety of stakeholders. The relevance of responsible design practices in promoting ethical and sustainable graphic design is brought to light by this research. Designers can produce work that encourages good change and contributes to a more sustainable future if they consider the social, environmental, and cultural influence of their designs. Responsible design methods, often known as ethical approaches to design, have the overarching objective of reducing unfavourable effects on society and the environment while simultaneously fostering positive growth.

In addition to the preceding discussion, research conducted by Vázquez-Ingelmo et al (2020) identified several essential components of responsible design practices. These components include a concentration on the social and environmental impact of the design, a dedication to user-centred design, and an emphasis on collaboration and engagement with stakeholders. The study indicated that, responsible design approaches have the potential to promote sustainability, social justice, and human rights, as well as to encourage a design process that is more inclusive and participatory (Vázquez-Ingelmo et al, 2020). In a separate piece of research, Digranes and Mazzarella (2019) stressed the significance of ethical issues in graphic design, citing the necessity of showing respect for intellectual property rights, maintaining environmental sustainability, and being sensitive to cultural norms. Their study further suggests that taking ethical issues into account is not only necessary for producing responsible and effective graphic design, but it also has the potential to improve the overall quality of design work. In a similar vein, a study that was conducted by Jégou and Manzini (2008) proposed the concept of 'sustainable everyday' design. This design entails the creation of goods and services that not only promote well-being and quality of life but also meet the requirements of social and environmental needs. Graphic design may play an essential part in encouraging sustainable daily routines and behaviours, and it can also contribute to the development of communities that are more sustainable and resilient (Jégou and Manzini, 2008). In the discipline of graphic design, responsible design practices are becoming an increasingly significant aspect of the profession as graphic designers are increasingly being asked to confront complex social and environmental concerns. Designers are able to produce work that fosters good change and contributes to a more sustainable and equitable future if they use an approach to design that is centred on the user, encourages collaboration, and is ethical.

These case studies illustrate the intricate link that exists between graphic design software and innovation in the field of the design business. Despite the undeniable fact that templates have opened up new doors of opportunity for designers, they have also contributed to a decrease in the value that is put on creative abilities and uniqueness. As a result of this, it is very necessary for designers to strike a balance between the use of design templates and the cultivation of their creative talents to generate work that is distinctive and inventive.

3. Discussion

For graphic artists who rely on software to generate their work, concerns around copyright are among the most critical. When using elements that are protected by intellectual property rights in their designs, designers must ensure that they have received the appropriate permits and licenses. If this is not done, there is the possibility of facing legal ramifications, such as litigation for infringement of copyright. By creating entirely new patterns, designers have a greater chance of averting violations of intellectual property laws. In contrast, this can be difficult to accomplish in a world where pre-made design components and templates are readily available and simple to acquire. As Park (2020) notes, the ease with which designers can use pre-made features can limit innovation and compromise the integrity of the design process.

Understanding the fair use doctrine is yet another strategy that designers may employ to successfully negotiate copyright difficulties. According to the fair use doctrine, some activities, such as criticism, commentary, news reporting, teaching, scholarship, or research, are exempt from the need to get permission before engaging in certain types of limited copyright infringement. However, since it may be difficult to determine whether a specific use of copyrighted content qualifies as fair use, designers should seek legal advice whenever they have any questions regarding this issue. It is also very important to note that copyright rules differ from country to country. Designers who operate worldwide should be familiar with the copyright laws of each country in which they create designs. For instance, the restrictions around copyrighted works are more stringent in the European Union. These regulations include the idea of 'moral rights,' which safeguard the creator's right to be acknowledged for their work and to object to alterations that might hurt their reputation. Designers who work using graphic design software need to be aware of copyright rules and take precautions to ensure that they are not infringing on the rights of others when they create their work. Designers can negotiate these difficulties and create work that is both creative and legal, provided they produce original designs, have a firm grasp on the concept of fair use, and maintain a level of awareness regarding the legal systems of other nations. The protection of original works of authorship, such as literary, artistic, and creative works, is the primary function of the legal concept known as copyright law. When it comes to graphic design, the protection of designs, drawings, logos, and any other creative works that are generated by designers falls under the purview of copyright law. It is impossible to exaggerate the significance of copyright law in relation to graphic design. While producing their designs, designers have a responsibility to ensure that they do not infringe on the rights of other parties, which is especially important while using pre-made design components and templates. The rules governing copyright offer legal protection to authors and ensure that they retain the exclusive right to use and distribute their own works.

According to Villanueva and Ochoa (2021), copyright laws protect designers from unauthorised use of their work and ensure they have the right to seek legal remedies if their work is copied or reproduced without their permission. In addition, copyright laws ensure that designers have the right to protect their work from being used by third parties. Copyright laws safeguard clients who commission designs by guaranteeing that the clients have the legal right to use the

designs for the reasons for which they were commissioned. Designers have a responsibility to be knowledgeable about copyright laws and to take precautions to avoid infringing on the rights of third parties. This involves securing the necessary permissions and licenses for the use of copyrighted content and coming up with creative ideas if it is feasible. In the event that designers are required to make use of resources that are protected by intellectual property rights, they are responsible for ensuring that their practices are permissible according to the fair use concept. Copyright law is something that graphic designers really need to be familiar with and make sure they are abiding by in order to safeguard their own work and prevent infringing on the rights of third parties. Designers are able to produce work that is not only creative but also lawful if they start with unique concepts and continue to educate themselves on the rules and regulations that pertain to copyrighted goods. Graphic designers frequently make use of templates and pre-made design components as tools since they help them produce designs in a more timely and effective manner. Nevertheless, if these components are used without the appropriate authority, it may lead to the infringement of copyright of the rightful owners. According to Patel (2019), it is possible to violate copyright laws when pre-made design components are used in a project without the appropriate license. Many of these components of the design are copyright protected, and any unlawful use of them may result in legal action being taken against the designer or the clients of the designer. Using pre-made design components and templates might sometimes cause problems when it comes to uniqueness. It is possible that designers may make repetitive use of the same pre-made parts or templates, which will ultimately result in designs that are devoid of innovation and originality. This may result in unfavourable outcomes for both the designer and the clients of the designer, including harm to their reputations and financial loss. To prevent these problems, designers need to make sure that the pre-made design components and templates they utilize come with the appropriate permissions and licenses before they can be put into use. This may include gaining permission from the owner of the copyright or utilizing components that are offered under a license that is compatible with Creative Commons (Patel, 2019). The use of pre-made design components and templates may be an efficient and successful technique for designers to build their own designs in a short amount of time. Nevertheless, it is absolutely necessary for designers to check that they are utilizing these components in a lawful manner, and that they are not infringing on the copyright of others. This allows designers to produce work that is not only innovative but also within the bounds of the law.

The usage of resources protected by intellectual property rights in graphic design software can have major ramifications for designers on an ethical level. It is the responsibility of designers to guarantee that their work is unique and does not infringe on the intellectual property rights of others. This is an ethical obligation for designers (International Trademark Association, n.d). The use of resources protected by intellectual property laws without the appropriate authority can not only violate copyright laws but also reduce the value of original creative work. According to Designer Insights (2017), designers who make unauthorised use of copyrighted assets contribute to the depreciation of creativity by avoiding the labour and financial commitment necessary to develop unique work. This, in turn, lowers the value of creativity. This can lead to a decrease in the quality of the work that is produced in the design industry as well as a devaluation of the profession as a whole. In addition, the use of materials protected by intellectual property rights in design work can have a detrimental effect not only on the reputation of the designer but also on the reputation of the client. Since clients anticipate that designers will generate creative work that is exclusive to their brand, the use of resources protected by copyright can be detrimental to the image and reputation of that business. In order to steer clear of these kinds of ethical dilemmas, designers have an obligation to check and make certain that they possess the appropriate legal authorisation to utilise any components of their design work. The use of resources protected by intellectual property rights within graphic design software may have substantial ethical repercussions for designers. Designers are able to respect ethical standards and help the preservation and promotion of original creativity by ensuring that they have the legal right to use any resources that they use in their design work.

The use of pre-made design can be approached in a manner that is both ethical and responsible if designers adopt a set of ethical practices that prioritize user-centred design, social and environmental impact, and collaboration with stakeholders. The following are some methods that designers can adapt in the practice of their discipline in order to remain professional and ethical:

- *Increased client satisfaction:* Designers can create designs that more successfully serve the needs and goals of their clients, if they prioritize the needs and preferences of end users and take part in collaborative design processes (Norman, 2013). This may result in higher customer satisfaction as well as improved outcomes for all of the stakeholders that were involved. Designers are able to produce designs that more effectively satisfy the requirements and objectives of their customers if they place a higher priority on the requirements and preferences of end users and participate in collaborative design processes (Norman, 2013). This may result in higher customer satisfaction as well as improved outcomes for all of the stakeholders that were involved.
- *Improved user experience:* Designers are able to produce designs that are more effective, accessible, and pleasurable for users if they make use of user-centred design methodologies, perform research, and test their designs (Tractinsky et al., 2006; (Norman, 2013). This can lead to enhanced experiences for end users and greater engagement with the products or services in question.
- *Positive social and environmental impact:* Designers may help contribute to beneficial social and environmental outcomes by emphasizing the social and environmental effects of their work and employing sustainable techniques (Irwin et al., 2015). This can contribute to addressing global concerns such as climate change, socio-economic inequality, and the destruction of the environment.
- *Professional growth and development:* It is possible for designers to improve their skills and knowledge, as well as their reputation as experts who are socially responsible and ethically concerned if they adopt techniques that are

responsible for design (Icoz & Ozcelik, 2020). This may lead to the development of new prospects and the advancement of a career.

Graphic designers may utilize pre-made designs in an ethical and responsible manner and make a positive contribution to social and environmental consequences by embracing these best practices and following them. Nevertheless, it is essential to keep in mind that responsible design practices are a continuing process that calls for continual introspection, review, and progress. In the field of graphic design, there are several case studies that demonstrate the successful use of responsive design methods.

- *The Paper Bottle*: The Paper Bottle Company has come up with an environmentally friendly replacement for plastic bottles that are both constructed of renewable resources and are capable of decomposing naturally (Wesley, 2019). The organisation collaborated with a team of designers to develop an original and sustainable packaging design that contributes to reducing waste and advancing sustainable practices.
- *The Ocean Clean-up*: The Ocean Clean-up is a charitable organisation with the mission of eradicating all traces of plastic from the world's oceans. The group collaborated with designers to construct a unique brand identity that effectively communicates its goals and principles and to produce a website and other communication tools that contribute to increased awareness of the problem (Grazioli & Almond, 2019).
- *The Sustainable Restaurant Association*: The Sustainable Restaurant Association is an organisation that works to promote sustainable practices and lessen the negative impact that restaurants have on the surrounding environment. The company collaborated with designers to produce brand identity and communication tools that reflect its principles and objectives. Additionally, the organization worked to construct a certification scheme that recognizes restaurants that satisfy certain sustainability requirements (Cox, 2013).
- *Patagonia*: Patagonia is a clothing manufacturer that has pledged its dedication to environmental preservation and responsible business practices. The corporation collaborated with designers to construct a unique brand identity that effectively communicates its core beliefs. Additionally, the firm worked to produce communication materials and packaging that accurately portray its dedication to environmental and social sustainability (Hatchuel, Le Masson, & Weil, 2011).
- *TOMS Shoes*: TOMS Shoes is a footwear firm that has introduced responsible design principles by incorporating social and environmental sustainability into its business model. These methods have helped the company become more environmentally and socially sustainable. Together with a team of designers, the company developed a unique brand identity that conveys its dedication to social responsibility. Additionally, the company collaborated on creating a communication strategy that emphasizes its 'One-for-One' programme, which gives a pair of shoes to a child in need for every pair of shoes purchased (Aurand & McGrath, 2015). TOMS has been successful in cultivating a devoted consumer base that places a high value on the company's positive social and environmental effects because it places a high priority on ethical design techniques.

These case studies illustrate that responsible design methods may be effectively adopted in graphic design and that doing so can contribute to promoting sustainability, social responsibility, and environmental awareness. By collaborating with designers that place a priority on responsible design methods, businesses can establish brand identities and communication materials that not only represent their core beliefs and goals but also have the potential to positively affect society and the environment.

4. Conclusion

In this article, the ethical questions surrounding the usage of pre-made designs or templates, such as copyright issues, responsible design practices, and the influence technology has on business creativity, were discussed. As it has been seen, copyright law plays an integral part in the field of graphic design. Thus, designers need to be aware of the potential legal ramifications that may arise from utilizing pre-made design components and templates. Additionally, responsible design practices may benefit not just designers and clients but also society as a whole by encouraging sustainability and social responsibility. This is because responsible design practices promote social responsibility and sustainability. In addition, the study has discussed how technology has altered the graphic design business and the significance of maintaining a healthy balance between the development of new technologies and ethical concerns. Even while technology has the ability to boost creative output, designers, nonetheless, have a responsibility to consider the possible moral and social repercussions of their work.

While thinking about the future of graphic design, it is very necessary for designers and other stakeholders in the industry to place emphasis on responsible and ethical design methods. In order to guarantee that the industry supports sustainability and social responsibility, it will become increasingly vital to incorporate ethical issues into the design process as technological advancements continue. Designers have the opportunity to make a constructive contribution to society while also improving their own creative potential and the industry as a whole if they make ethical design practices and sustainability a priority in their work.

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